

In Congress, June 10, 1777

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IN CONGRESS, *JUNE 10, 1777.*

RESOLVED, I. **THAT** for supplying the army of the United States with provisions, one Commissary General and four Deputy Commissaries General of Purchases; and one Commissary General and three Deputy Commissaries General of Issues, be appointed by Congress.

II. That each of the said Commissaries and Deputy Commissaries be authorized to appoint for himself one Clerk.

III. That the Deputy Commissaries General have authority to appoint as many assistant Commissaries to act under them as may from time to time be necessary, and the same to displace at pleasure, making returns thereof to the Commissaries General respectively, who shall have full power to limit their numbers, to displace such as they shall think disqualified for the trust, and direct their respective Deputy Commissaries General to appoint others in their stead: That special care be taken by the officers empowered as aforesaid, to appoint none but persons of probity, capacity, vigilance, and attachment to the United States, and the cause they are engaged in; and to make returns to the Board of War, the Commander in Chief, and the Commander of the respective department, of the assistant Commissaries by them respectively appointed, their several places of abode, the time of their appointment and dismissal, and the post, place, magazine or district to which they are severally assigned; and that the Deputy Commissaries General of Purchases and Issues in the same district make similar returns to each other.

IV. That the Commissary General of Purchases shall superintend the Deputy Commissaries General of Purchases, and assign to each a separate district, who shall

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constantly reside therein, and not make any purchases beyond the limits thereof; and every purchaser employed therein shall also have a certain district assigned him by the respective Deputy Commissary General, in which he shall reside, and beyond the limits of which he shall not be permitted to make any purchases, unless by special order of his Superior, directing the quantity and quality of provisions so to be purchased beyond his limits, and informing such purchaser of the prices given by the stationed purchaser in the district to which he may be sent.

V. That the Commissary General of Purchases shall direct the Deputy Commissaries General in their respective districts, to inform themselves and Assistants, as nearly as may be, of the prices for which the articles, which they are to procure, may be purchased, and that neither they nor any of the said assistants employed under their direction, exceed such prices; and if any Deputy Commissary General of Purchases shall neglect his duty, or be guilty of any fraud or misconduct in his office, the Commissary General may suspend him, and shall immediately certify the same to Congress, with the reasons for such suspension, and appoint a person to act in his stead, with all the powers of a Deputy Commissary General, until the sense of Congress shall be known thereon.

VI. That the present Commissary General, by himself or his Deputies, deliver unto the Commissary General of Issues, or his Deputies or Assistants, all and every kind of provisions and other public stores in the Commissary General's department, that now are, or, at the time when such delivery shall be made, may be, in any of the posts, places, magazines and store-houses belonging to the United States, taking duplicate receipts for the same, one set whereof, together with a general return of all stores so delivered, to be sent to the Board of Treasury, that the Commissary General of Issues may be charged therewith.

VII. That it shall be the duty of the Commissary General of Purchases, with the assistance of the Deputy Commissaries General and assistant Commissaries of Purchases, to purchase all provisions and other necessaries allowed, or which may hereafter be allowed

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by Congress to the troops of the United States, and deliver the Commissary General of Issues, or his Deputies or Assistants, in such quantities and at such places or magazines, as the Commander in Chief, or the Commander in the respective department shall direct.

VIII. That the Commissary General of Issues shall direct the respective Deputy Commissaries General to station one of their Assistants at every fort, post, place or magazine, where provisions are or may be stored.

IX. That the Commissary General of Purchases shall furnish each of the Deputy Commissaries General and Assistants with a book, in which is to be entered every purchase by them respectively made: And, that all the accounts may be kept in the same form, he shall cause the pages of such books to be divided into ten columns, in the first of which shall be entered the year, month and day in which any purchase is made; in the second; the names of the persons from whom; in the third in what place; in the fourth, the species and quantity of provisions, and if live stock, the number, colour and natural marks; in the fifth, the artificial marks and number; in the sixth, the prices; in the seventh, the amount of the purchase-money; in the eighth, ninth and tenth, the weight of the meat, hides and tallow of the live-stock as hereafter directed: And the Commissary General of Issues shall furnish each of the issuing Deputy Commissaries General and Assistants with a similar book, in which shall be entered all provisions received by them from the purchasers respectively, the first column to contain the time of receiving such provisions; the second, the name of the purchaser, and in each of the other columns the entries before directed.

X. That each purchaser shall enter, in different pages of the said book, each species of provisions by him purchased, and, at the end of every month shall foot and transfer the said entries to a general account, specifying the quantity, amount and average cost of each article, and shall also, in the course of the next succeeding month, send a copy of such account to the respective Deputy Commissary Generals, who shall thereupon make out a monthly return of all the provisions purchased in his district, specifying the quantity,

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amount and average cost of each species, as before directed, together with a copy of each purchaser's accounts, to the Board of War and Commissary General of purchases, within the time limited as aforesaid.

XI. That the purchasing Commissaries deliver live-stock and other provisions required by the Commissary or several Deputy Commissaries General of Issues at such places as they shall respectively direct.

XII. That the Deputy Commissary General of Purchases in each district shall specially appoint one or more Assistants to purchase live-stock, who shall cause to be branded on the horns of all cattle by them purchased, the number and initial letters of their names respectively, and shall also have power to employ drovers and a person at each place, to which they may respectively be directed to send cattle, to receive, kill and deliver the same as hereafter directed.

XIII. That each drove of live-stock, or quantity of provisions or other stores, that may be sent to any post, place or magazine by any purchaser, shall be accompanied with duplicate-invoices, taken from the entries directed to be made in the books of the purchasing Commissaries, one of which, together with the live-stock or other stores, shall be delivered at such posts, place or magazine, to the persons appointed to receive live stock, or to the issuing Commissaries respectively, who, on the other, shall give his receipt for the articles received, to be transmitted to the purchaser by the person delivering the said articles; provided that if any live-stock, under the care of the drover, shall be wanted at any other post than that to which they were ordered, the purchaser's Deputy at such post may detain them, taking a copy of the invoice, as far as it respects the live stock detained, and giving his receipt for the same on the back of the said invoice, specifying their marks and numbers, and the person to whom the residue may be delivered shall give his receipt therefor on the same invoice, and detain the other for his use as aforesaid.

XIV. That each drove of live stock shall be killed under the direction of the Purchaser's Deputy receiving the same, who shall weigh and deliver the meat to the Commissary of Issues of the respective post, together with duplicates of the invoice left by the drover, entering in the eighth column the weight of the quarters of the several creatures; in the ninth the weight of the hide; in the tenth, the weight of the tallow; and at the foot of each invoice, the number of the heads and tongues: And the Commissary of Issues shall indorse his receipt on one of the invoices and deliver it to the Deputy aforesaid, who shall return it to the purchaser as his voucher, and to enable him to fill up the eighth, ninth and tenth columns of the entries in his book; and the other shall be kept by the issuing Commissary for his own use.

XV. That the Commissary General of Purchases shall contract by himself, or the respective Deputy Commissaries General, with one or more persons in each district, to make or supply a sufficient quantity of vinegar for the use of the army.

XVI. That the Deputy Commissaries General of Purchases take special care to procure full supplies of vegetables, as being essentially necessary to the health of the army; and they are respectively empowered and directed, with the advice of the Commander in Chief, or Commander of the respective district, to hire land therein, and raise such quantities of vegetables as are wanted and cannot be otherwise procured for the army; and for this purpose to employ suitable persons to conduct, and labourers to assist in carrying on the said business.

XVII. That the Commissary General of Purchases shall, from time to time, apply to Congress for all the money wanted in his department, and shall make the necessary advances to the respective Deputy Commissaries General, calling them to account as often as he shall judge it necessary; and the Deputy Commissaries General shall, in like manner, make advances of the money received of the said Commissary General to their respective Assistants, and call them to account as aforesaid.

XVIII. That the Commissary and Deputy Commissaries General of Purchases and Issues shall respectively be accountable for the conduct of the officers of their own appointment, and all the accounts of purchases and issues shall, once in six months, be settled by the respective Commissaries General with the proper Commissioners of Accounts; each account of purchases to be vouched by the several bills and receipts of the venders, specifying the cost, and the receipts of the issuing purchases of all articles therein charged; and each account of issues by the victualling returned thereafter directed to be made; and receipts for all provisions charged therein as rations, or sent by the respective issuing Commissary to any other. And the Commissaries General shall produce the monthly returns of the several purchasing and issuing Commissaries, to be used by the Commissioners in adjusting their respective accounts.

XIX. That the Commissaries General of Purchases and Issues, and their respective Deputies for neglect of duty, or other offences in their respective offices, shall be subject to military arrest and trial by order of the Commander in Chief; or any General Officer commanding a division of the army, post or department, where such neglect of duty or offence may happen; and the respective Assistants or the Deputy Commissaries General of Purchases and Issues, shall, for the same causes, be liable to military arrest as Commissioned Officers in the army, by any General Officer, or any Officer commanding a detached post to which such Assistants may be assigned. arrest

XX. That the Commissary General of Issues shall superintend the respective Deputy Commissaries General, and assign to each a separate district; and have full powers to suspend them and appoint others for a time, as already appointed for the Commissary General of Purchases.

XXI. That every issuing Commissary shall enter in distinct pages of the books mentioned in the ninth article, each species of provisions or other stores received by him, including the provisions delivered by other issuing Commissaries or the present Commissary General, and the same entries shall be made with respect to these, as therein are

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directed, when provisions are received from the purchasers; excepting that the prices and cost of articles delivered the said Commissaries may be omitted.

XXII. That every issuing Commissary shall be furnished with a book of issues, of which he shall open a separate account with each regiment, corps or detachment to which he may issue, or Commissary to which he may send or deliver provisions; and each page thereof shall be divided into columns, in the first of which shall be entered the time of delivery; in the second, the name of the officer, upon whose return provisions are issued, or by whom sent to any other issuing Commissary; in the third, the number or rations, and in other separate columns the several quantities of each species of provisions delivered as rations, or sent to the Commissaries as aforesaid. And on the last day of every month, he shall foot the said accounts, and also all the accounts of provisions received and entered in the book mentioned in the preceding article. receipts

XXIII. That every issuing Commissary shall take duplicate receipts for each quantity of provisions and stores by him sent to any post, place or magazine, agreeably to the form of the entries directed to be made in the book of issues, one of which he shall deliver to the officer, or person employed to deliver the said provisions or stores; and the issuing Commissary at such post, place or magazine, or at any intermediate post, who may receive such provisions or stores, or any part thereof, shall certify the quantity on the back of the said receipt, which the officer, or person who delivered the provisions, shall return to the Commissary that sent them as his voucher: And in cases of deficiency, the Commissary who sent the provisions shall credit the Commissary to whom they were directed for the quantity left, if the same has been placed to his debit, and shall charge twice the amount thereof to the account of the officer or person employed to deliver it, and shall also transmit a copy of the said account to the Pay-Master or Deputy Pay-Master General in the district, who shall send to the issuing Commissary a receipt for such account to be produced by him in settlement, and shall also deduct the amount thereof from the pay of the delinquent, and credit the United States No. 5 Resolve of Congress Arranging and issuing Com'y [2] therefor: Provided that if any provisions or stores shall

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be left by unavoidable accident, and the same is proved by sworn evidences before the Commanding Officer of the post from or to which such provisions or stores were sent, his certificate, with the proof annexed, shall authorize the Commissary to cancel such charge.

XXIV. That no provisions be issued to any persons but by the written order of the Commander in Chief, the Commander of any department, the Quarter-Master General, any of his Deputies or Assistants, the Commanding Officer of a post, describing the person in whose favour such order shall be given; or upon a return signed by the Commanding Officer of a corps, or detachment thereof, whether commissioned or non commissioned, or by the regimental Quarter-Master.

XXV. That when any troops are ordered to quit a post, and the issuing Commissary remains at such post, the respective Commanding Officers of the several regiments or corps, shall call on the issuing Commissary for a certificate, specifying the day to which they were victualled inclusively; and in case detachments of different regiments or corps are made, the Commanding Officer of such detachment shall procure a certificate from the Commissary, in which shall be inserted the days to which the different troops of which his detachment may be composed were victualled, and the next and every subsequent provision return for such detachment shall distinguish the corps out of which is formed, and the number of each corps, to the end that the Commissary may charge each corps with the provisions issued to it; and if any Commissary, at any other post, shall victual any corps or detachment comprehended in the foregoing description before such certificates are produced, he shall charge the officer commanding the same with twenty days provision for the whole number of men under his care, and make return thereof to the Pay-Master General, or Deputy Pay-Master General in the district, who shall make the proper stoppages, and also to the Board of Treasury, who shall charge him therefor. Provided, That if such certificates be procured and delivered within thirty days after the first drawing of such provisions without certificate, the Commissary General shall cancel the charge, keeping the certificate as a voucher for so doing: Provided also, That notwithstanding such certificate may be produced, if it shall appear that the officer

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commanding any corps or detachment, has drawn more provision than the corps or detachment was entitled to, he shall stand charged the double quantity so over drawn. over loans

XXVI. That every issuing Commissary shall take receipts for the number of rations, and for so much of every species of provisions as he may issue therefor.

XXVII. That every issuing Commissary, on the last drawing day preceding the last drawing day of every month, shall victual the troops up to the last day of the month inclusive; and if provisions should be ordered for troops going on detachments for such time as would run beyond that day, two returns shall be made out, one to the last day of the month inclusive, and one from the first day of the month inclusive to the time ordered.

XXVIII. That every issuing Commissary shall number the provision returns, and indorse the same with the date thereof, and the number of men victualled, and put the returns of each detachment or corps on separate files, each to contain the returns of a month for such corps or detachment.

XXIX. That whenever any capital magazine shall be established, the Commander in Chief or Commanding Officer of the department shall order store-houses to be built, and a barracks for fifty men, and the same to be included with a stockade.

XXX. That whenever any of the provisions or stores in any of the magazines become so damaged as to threaten a total loss of all such damaged provisions, the Commissary of Issues to whose care such provisions may be committed, shall make return thereof immediately to the Deputy Commissary General of Issues, who is to apply to the Commander in Chief or some General Officer to order a Court of Enquiry, who shall thereupon grant one, and such provisions as may by the Court be condemned shall be sold at public vendue, under the direction of the Deputy Commissary General of Issues, public notice being given of such sale by advertisements, at least ten days before the

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day of such sale, unless the Court should determine that the same ought to be sold at an earlier day. Condem?

XXXI. That every Assistant Commissary of Issues shall, within six days after the last day of every month, make a return to the Deputy Commissary General of the district, of all provisions and stores in his magazine or store at the last preceding return, of all provisions by him received in the preceding month; from whom and whence; of what he has issued, specifying the regiment and corps, and the number of rations, and quantity of each species of provisions drawn by the same; and of what remains in store. in store

XXXII. That each Deputy Commissary General of Issues shall, from the monthly returns of the Assistant Commissaries, make out a general return for the district, specifying what remained in the magazines or stores at the last return; what has been received since; the number of rations and quantity of provisions issued, and what remains in store, distinguishing the several posts, places, magazines and regiments or corps as aforesaid: one to be sent to the Board of War, one to the Commander in Chief, one to the Commander of the department, one to the Commissary General of Purchases, and one to the Commissary General of Issues.

XXXIII. That the Commissary General of Purchases and Commissary General of Issues, each in his own department, make a general monthly return to the Board of War, the Commander in Chief, and the Commanding Officer of the respective districts, and take special care constantly to provide and furnish each of the officers under him with printed forms of the books, invoices, receipts and returns, to be used by them respectively, agreeable to these resolves.

XXXIV. That no returns of rations drawn or returned by the several regiments be hereafter made by the issuing Commissaries to the Commissary General of Musters, or by him to the Adjutant General, or by the Adjutant General to the Board of War, as directed in the

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regulations of the Muster Master General's department, passed by Congress the fourth day of April last.

XXXV. That the Commissaries General and the respective officers under them, apply to the Quarter Master General or his respective officers, for waggons, teams and horses wanted in the several districts; and if at any time it shall be necessary to hire the same, they are not to exceed the rates stipulated by Congress or the Quarter Master General aforesaid. apply to the quartermaster

XXXVI. That all persons employed to purchase for the United States any articles in the several departments of the Commissary General of Purchases, Quarter Master, Director, or Clothier General, or the Commissary General of Military Stores, shall previously apply to them or the principal officers under them respectively, for certificates of the several prices by them allowed for such articles, and shall not, on any pretence whatsoever, exceed such prices. And it is recommended to the several States to give their purchasers respectively similar directions.

XXXVII. That the Commissary General of Purchases, from time to time, provide sufficient quantities of salt, and deliver it to the Commissary General of Issues, or the respective officers under him, who are directed to issue to the troops only such quantities, and in such manner as the Commander in Chief or Commander of the respective district shall direct. And the Commissary General of Issues shall direct the respective Deputy Commissaries General to employ a suitable number of coopers and packers, who shall salt and pack provisions at the several magazines and stores, and take the proper precaution with respect to all provisions therein deposited.

XXXVIII. And whereas great confusion hath arisen from the manner in which officers and soldiers have been paid for rations and parts of rations allowed to, but not drawn by, them respectively:

Resolved, That the parts of a ration be estimated as follows, viz. For the daily allowance of beef, pork, or fish, Four-Ninetieths of a Dollar; of bread or flour, Two-Ninetieths; of pease or beans, One-Ninetieth; of milk, One-Ninetieth; of beer, One-Ninetieth; of rice, One-Half of a Ninetieth; and of soap, One-Half of a Ninetieth; making in the whole Ten-Ninetieths of a Dollar for each ration: And that for the future the Quarter Master or other person drawing provision for any regiment, corps or detachment, shall, on the last day of every month, make out an abstract of the number of retained rations due to each officers respectively, and also the number of each part of a ration due to such regiment, corps or detachment, and deliver the same to the respective issuing Commissary, who shall compare it with his books, and finding it right, shall certify thereon that the several charges in the abstract are just, and that such a sum as he shall find to be due should be paid to the respective Pay-Master of the regiment, corps or detachment, who shall annex the said abstract to the payroll, that the Pay-Master or Deputy Pay-Master General of the district may pay, and he is hereby required to pay, such ration-abstract to the regimental Pay-Master, who is directed to pay the respective officers and soldiers, and take their receipts. And when any regiment, corps or detachment, or issuing Commissary is ordered to leave a post before the end of the month, the ration-abstracts shall be made up to the day of his or their leaving the post, and certified by the Commissary as aforesaid.

XXXIX. That the Commissary of Issues at every post where cattle are killed for the use of the army, appoint a careful person to take charge of the hides and tallow, to see that the former are properly dried, and that the latter is properly rendered, and that both are disposed of as the Commissary General of Issues, by order of Congress, shall direct.

XL. That the Commissary and Deputy Commissaries General of Purchases in each department, and every Purchaser employed under them, shall take the oath of fidelity to the United States, and the following oath or affirmation, viz. "I---do solemnly and sincerely swear (or affirm) in the pretence of Almighty God, That I will not collude with any person or persons whatever to enhance the price of provisions, or any article of commerce which

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I shall at any time hereafter be directed to purchase for the use of the United States; and that I will endeavour, by every honest means in my power, to procure the articles which I may be directed to purchase at the most reasonable rates; and that I will not charge the public with any advance on any purchases by me to be made, and that I will in all things conduct myself as becometh a faithful servant of the public.”

XLI. That the Commissary and the Deputy Commissary General of Issues in each department, and every issuing Commissary employed under them, shall take the said oath of fidelity and the following oath or affirmation, viz. I do